

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE SENATE

SENATE BILL NO. 1134

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO ELECTIONS; AMENDING SECTION 34-304, IDAHO CODE, TO PROVIDE THAT
POLL WATCHERS MUST BE REGISTERED VOTERS IN THIS STATE.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 34-304, Idaho Code, be, and the same is hereby
amended to read as follows:

34-304. CHALLENGERS -- WATCHERS. The county clerk shall, upon receipt
of a written request, such request to be received no later than twelve (12)
days prior to the day of election, direct that the election judges permit
one (1) person registered voter in this state authorized by each political
party, if the election is a partisan election, to be at the polling place for
the purpose of challenging voters, and shall, if requested, permit any one
(1) person registered voter in this state authorized by a candidate, sev-
eral candidates or political party, to be present to serve as a watcher to ob-
serve the conduct of the election. Such authorization shall be evidenced by
a writing signed by the county chairman and secretary of the political party,
if the election is a partisan election, or by the candidate or candidates,
and filed with the county clerk. Where the issue before the electors is other
than the election of officers, the clerk shall, upon receipt of a written re-
quest, such request to be received no later than twelve (12) days prior to
the date of voting on the issue or issues, direct that the election judges
permit one (1) pro and one (1) con person registered voter in this state to
be at the polling place for the purpose of challenging voters and to observe
the conduct of the election. Such authorization shall be evidenced in writ-
ing signed by the requesting person and shall state which position relative
to the issue or issues the person represents. Persons who are authorized to
serve as challengers or watchers shall wear a visible name tag which includes
their respective titles. A watcher who is a registered voter in this state
is entitled to observe any activity conducted at the location at which the
watcher is serving, provided however, that the watcher who is a registered
voter in this state does not interfere with the orderly conduct of the elec-
tion. If the watchers who are registered voters in this state are present at
the polling place when ballots are counted they shall not absent themselves
until the polls are closed. A watcher who is a registered voter in this state
serving at a central counting station may be present at any time the station
is open for the purpose of processing or preparing to process election re-
sults and until the election officers complete their duties at the station.
If the county clerk does not receive the list of names of those desired to
be present for the purpose of either poll watching or challenging within the
time prescribed above, the clerk shall not allow the presence of such persons
later seeking to serve in those capacities.